

Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 IO-13 ACDA-10 DHA-02 OMB-01 TRSE-00
AID-05 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00
NSC-05 PA-02 PRS-01 SP-02 SS-15 USIA-15 ARAE-00 /098 W
-----172009Z 086585 /46

P 171600Z MAR 77
FM AMEMBASSY BRASILIA
TO SECSTATE WASHDC PRIORITY 0607
AMCONSUL RIO DE JANEIRO
AMCONSUL SAO PAULO

UNCLAS BRASILIA 2100

E.O. 11652: N/A
TAGS: PFOR, SHUM, MASS, BR, US
SUBJECT: PRESS AND OFFICIAL REACTION TO U.S./BRAZIL HUMAN RIGHTS
DISPUTE (MARCH 16)

1. SUMMARY. LOCAL REACTION TO U.S./BRAZIL HUMAN RIGHTS DIS-
PUTE DROPPED SHARPLY MARCH 16, BEING LARGELY CONFINED TO CONGRESS
AND EDITORIAL PAGES, WHERE PRO-HUMAN RIGHTS TONE CRITICAL OF
GOB INCREASINGLY IN EVIDENCE. MDB CONGRESSIONAL LEADERSHIP
CALLED FOR REACTIVATION OF THE COUNCIL FOR DEFENSE OF HUMAN
RIGHTS. PRESIDENTIAL PRESS SPOKESMAN CAMARGO CLAIMED HE WAS
MISQUOTED ABOUT UNLIKELIHOOD OF GOB RESPONSE TO RELEASE OF
HUMAN RIGHTS REPORT, AFFIRMING THAT CORRECT ANSWER TO THAT
QUESTION IS, "I DON'T KNOW." O ESTADO IN PARTICULARLY HARSH
EDITORIAL CRITICIZED GOB RESORT TO CLAIM OF "SOVEREIGNTY" AND
SAID IT WOULD HAVE DONE BETTER TO IMPROVE LOCAL SITUATION.
END SUMMARY.

2. LOCAL REACTION TO U.S./BRAZIL HUMAN RIGHTS DISPUTE DROPPED
OFF SHARPLY MARCH 16; COMMENT WAS LARGELY CONFINED TO CONGRESS
AND EDITORIAL PAGES, AND WAS FREQUENTLY PRO-HUMAN RIGHTS IN
TONE AND/OR CRITICAL OF GOB ACTIONS.

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3. MDB PRESIDENT ULYSSES GUIMARAES DECLARED HUMAN RIGHTS REPORT
"DID JUSTICE" TO PRESIDENT GEISEL AND POINTED OUT REPORT'S CON-
CLUSION THAT ABUSES HAVE DECLINED DURING CURRENT REGIME. HE
JOINED HIS VOICE TO THOSE OF OTHER MDB LEADERS, INCLUDING
HOUSE MINORITY LEADER ALENCAR FURTADO, IN CALLING FOR REACTIVA-
TION OF THE DORMANT COUNCIL FOR DEFENSE OF HUMAN RIGHTS, AND
FOR PASSAGE OF A PROPOSED LAW WHICH WOULD ALTER THE COMPOSITION

OF THE COUNCIL (NOW HEAVILY WEIGHTED IN FAVOR OF THE EXECUTIVE BRANCH) AND REQUIRE THAT ITS DELIBERATIONS BE PUBLIC. MDB DEPUTY FREITAS NOBRE DECLARED THAT HUMAN RIGHTS REPORT OFFERED NOTHING NEW, MOST OF THE EVENTS DESCRIBED HAVING ALREADY BEEN REPORTED IN THE LOCAL PRESS, AND FOUND IT SHORT ON DETAIL IN CERTAIN AREAS, PARTICULARLY THE DEATH SQUADS.

4. AS PROMISED, MDB DEPUTY CARREIRA DELIVERED SPEECH CONGRATULATING JIMMY CARTER AND DECLARED THAT WEST OWES CARTER THANKS FOR HIS DESIRE TO GIVE IT A FORCEFUL IDEA--THAT OF LIBERAL DEMOCRACY--WHICH IS THE ESSENCE OF WESTERN CULTURE AND THE ONLY SURE DEFENSE AGAINST THE ADVANCE OF COMMUNISM. "WE WILL NOT STOP COMMUNISM IN THE WORLD WITH TORTURE AND VIOLATIONS OF HUMAN RIGHTS," HE SAID. CARREIRA INCLUDED IN HIS SPEECH A NUMBER OF EXCERPTS READ FROM THE REPORT. HE, TOO, CALLED FOR REACTIVATION OF HUMAN RIGHTS COUNCIL.

5. PRESIDENTIAL PRESS SPOKESMAN CAMARGO DECLARED PRESS MISINTERPRETED HIS COMMENTS YESTERDAY IN REPORTING THAT BRAZIL WOULD NOT RESPOND TO RELEASE OF REPORT. CAMARGO CLAIMED HIS ANSWER TO QUESTION ABOUT GOB FUTURE RESPONSE WAS, "I DON'T KNOW," AND PROCEEDED TO REITERATE IT.

6. O ESTADO REPORTED FONMIN SOURCES PERPLEXED AT DIFFERENCES BETWEEN REPORT RELEASED BY CONGRESS AND TEXT PREVIOUSLY DELIVERED BY EMBASSY TO ITAMARATY; EMBASSY TEXT SUPPOSEDLY LEFT OUT SOME TOPICS SOBSEQUENTLY COVERED. GOVERNMENT IS REPORTEDLY COMPARING THE DIFFERENCES AND THEIR POSSIBLE IMPLICATIONS. (COMMENT: WE BELIEVE THIS REFLECTS INITIAL-AND FLEETING-RELIANCE ON THE UNCLASSIFIED

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INCORRECT VEJA VERSION OF REPORT, WHICH DID CONTAIN PASSAGES EXCISED FROM FINAL TRUE VERSION).

7. JORNAL DO BRASIL QUOTED DECLARATION BY SUPERIOR MILITARY TRIBUNAL CHAIRMAN HUET SAMPAIO, THAT "MR. JIMMY CARTER HAS NO REASON TO MEDDLE IN BRAZILIAN DOMESTIC AFFAIRS," AND PROCEED TO CITE STATISTICS FROM STUDY OF STM, INDICATING THAT OF 1,002 APPEALS TO STM IN RECENT YEARS FROM CONVICTIONS UNDER NATIONAL SECURITY LAW, A MAJORITY (574) RESULTED IN ACQUITTALS.

8. JORNAL REPRODUCED LECTURE INAUGURATING ACADEMIC YEAR AT LAW FACULTY OF STATE UNIVERSITY OF RIO DE JANEIRO. LECTURE ANALYZED PROTECTION AFFORDED HUMAN RIGHTS BY NATIONAL CONSTITUTIONS, AS WELL AS BY INTERNATIONAL NORMS AND STRUCTRES. PRINCIPAL CONCLUSIONS WERE THAT IN LAST 30 YEARS, A CLEAR SYSTEM OF INTERNATIONAL PROTECTION OF HUMAN RIGHTS HAS EVOLVED; BUT THAT NORM OF "PRIOR EXHAUSTION OF LOCAL REMEDIES" CONDITIONS INTERNATIONAL INVOLVEMENT IN CASES.

9. FOLHA DE SAO PAULO EDITORIAL WELCOMED REMARKS BY AIR FORCE MINISTER ARARIPE MACEDO TO EFFECT THAT BRAZIL WILL NOT SEEK ARMS FROM SOVIET BLOC, AND DECLARED THAT GOVERNMENT WAS FOLLOWING CORRECT POLICY IN MAINTAINING INDEPENDENCE IN DEFENSE OF NATIONAL INTERESTS, WHILE AT SAME TIME KEEPING BRAZIL FIRMLY IN THE WESTERN CAMP WHERE IT BELONGS BY TRADITION AND VALUES.

10. LEAD COLUMN IN JORNAL J BRAARL DECLAPID GOB ACTIONS REVEALED INTENT TO GIVE U.S. CLEAR SIGNAL OF DISPLEASURE, BUT WITHOUT DAMAGING OTHER IMPORTANT INTERESTS. EPISODE ALSO DEMONSTRATED DISTANCE WHICH SEPARATES GEISEL GOVERNMENT FROM REGIME OF EXCEPTION IN INHERITED--A DIFFERENCE POINTED OUT IN UNPRECEDENTED FASHION BY QUASI-OFFICIAL SPEAKERS IN RECENT DAYS. EXTERNALLY, HUMAN RIGHTS IN COMING YEARS MAY BECOME CRITERION FOR FORMATION OF INTERNATIONAL BLOC, SINCE IT APPEARS TO REPRESENT A LASTING PREOCCUPATION OF U.S. WHICH CARTER MERELY INTERPRETS. BRAZIL, HOWEVER, HAS JUST DEMONSTRATED THAT IT HAS REASONABLE UNCLASSIFIED

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BASIS FOR ENTERING THAT BLOC. COLUMN PROCEEDS TO DRAW ANALOGY BETWEEN PRESENT SITUATION AND NINETEENTH CENTURY BRAZIL/U.K. DISPUTE OVER BRITISH LAW OF ABERDEEN, WHICH "DECLARED WAR" ON SLAVE TRADE; CONCLUSION REACHEAD IS THAT EXTERNAL PRESSURES AT THAT TIME MERELY DELAYED GOB FROM PROCEEDING ALONG LIBERAL LINES IT ALREADY WISHED TO PURSUE AND EVENTUALLY CONSUMMATED.

11. ACERBIC O ESTADO EDITORIAL FOUND US REPORT LACKING IN DETAIL AND ANALYSIS (SPECIFICALLY CRITICIZING ALLEGED CONCLUSION OF REPORT THAT FAIR TRAILS ARE UNAVAILABLE TO POLITICAL DETAINEES), BUT SAID ITS MOST NOTABLE ASPECT WAS REPEATED RECOGNITION OF GEISEL'S HUMAN RIGHTS EFFORTS. GOB REACTION, DECLARED O ESTADO, BY ITS "PRECIPITOUS APPEAL ... TO NATIONAL SOVEREIGNTY," GAVE REPORT A NOTORIETY IT WOULD OTHERWISE NOT HAVE HAD, AND LAMENTABLY PLACED GOB IN POSITION OF PRESUMPTIRE CRIMINAL SEEKING TO INVOKE IMMUNITY THROUGH NATIONAL SOVEREIGNTY. IN VIEW OF REPORT'S "DEFENSE" OF GEISEL GOVERNMENT, AND FACT OF GOB'S AWARENESS WELL BEFOREHAND THAT A REPORT WAS INEVITABLE, ONE IS FORCED, DECLARED ESTADO, TO THINK THAT THERE WERE MANY OTHER REAONS BEHIND GOVERNMENT'S RESPONSE, BESIDES THE OFFICIAL CLAIM OF "INTERFERENCE". IN DEALING WITH SITUATION TO WHICH WESTERN WORLD HAS FORTUNATELY SHOWN SENSITIVITY, GOB WOULD HAVE DONE BETTER TO TAKE FURTHER ACTION TO HALT POTENTIAL FOR ABUSES AND TO OVERCOME CURRENT AMBIGUITIES; HAD GOVERNMENT ELIMINATED "HALF CENSORSHIP" AND "RESIDUAL ARBITRARY ACTS," NEITHER US LEGISLATION NOR REPORT WOULD HAVE MATTERED. INSTEAD, CONCLUDES ESTADO, THE COUNTRY HAD TAKEN REFUGE IN NATIONAL SOVEREIGNTY, LOSING AN OPPORTUNITY TO PROFOUNDLY AFFIRM THAT CONCEPT, OR AT LEAST TO AFFIRM IT BETTER THAN THOSE COUNTRIES "FROM WHICH BRAZIL MOST CLEARLY DIVORCED ITSELF IN THE DAYS OF THE ALIGNMENTS WHICH ITAMARATY TODAY ABOMINATES: THE ERA IN WHICH THE MILITARY

ASSISTANCE AGREEMENT OF 1952 WAS SIGNED."
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Message Attributes

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Capture Date: 01-Jan-1994 12:00:00 am
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Current Classification: UNCLASSIFIED
Concepts: PRESS COMMENTS, HUMAN RIGHTS, POLICIES, GOVERNMENT REACTIONS
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Decaption Note:
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Disposition Approved on Date:
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Disposition Comment:
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Disposition Event:
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Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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Format: TEL
From: BRASILIA
Handling Restrictions: n/a
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TAGS: PFOR, SHUM, MASS, BR, US
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Type: TE
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